

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO.4 OF 2004
IN
ARBITRATION PETITION NO.230 OF 2003

View Enterprises (Mauritius) Ltd. Petitioner
V/s.

Infraline Technologies (I)
Pvt.Ltd. and others Respondents
.....Contemnors

Ms.Shruti Mehta i/b M/s.Trilegal for the Petitioner.

Ms.Vandana Mahadik i/b M/s.Bilawala & Co. for the
Respondents.

CORAM : S.J. VAZIFDAR, J.
DATED : 19TH AUGUST, 2004.

P.C. :

1. The Petitioner alleges the contempt of an order dated 12th August, 2003, by which an order was made in terms of the minutes of the order. Clause 1(d) of the minutes of the order provide that until the issue regarding interpretation of Article 79 of the Articles of Association is decided by the Arbitral Tribunal, the reference in Article 79 to Article 68 shall be read as Article 69. There is no dispute

regarding the implementation of the same. It was contended that Article 69 was not strictly complied with despite the aforesaid order.

2. The dispute has now been resolved between the parties amicably. The Petitioners are no more shareholders in the Company also.

3. In the facts and circumstances of this case, no action for contempt is called for. The Petition is therefore, dismissed. There shall be no order as to costs.

. Parties to act on an ordinary copy of this order duly authenticated by the Chamber Registrar/ Court Stenographer of this Court.